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5301 Stevens Creek Blvd.  
Santa Clara, CA 95052-8059  
Fax Number: (408) 553-3063**FAX COVER SHEET**TO: Ex: Emmanuel Bayard  
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FAX Number: 703 872-9314Number of Pages  
(including cover sheet) 15**RECEIVED**  
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JAN 05 2005

RE: Resend of June 25, 2004 response for  
09/558,302**FROM:**

|                                |                                     |                                    |                          |
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| Katherine Lopez (408) 553-2053 | <input type="checkbox"/>            | Jim Pintner (408) 553-3752         | <input type="checkbox"/> |
| Pam Kee (408) 553-3059         | <input checked="" type="checkbox"/> | Ann Marie Radcliffe (408) 553-3132 | <input type="checkbox"/> |
| Doug Kundrat (408) 553-3052    | <input type="checkbox"/>            | Jack Wu (408) 553-3060             | <input type="checkbox"/> |
| Judy Liao Shie (408) 345-8920  | <input type="checkbox"/>            | John Moss (408) 345-8941           | <input type="checkbox"/> |

**Message:**As requested by Examiner Bayard.  
I have also included the USPTO auto fax cover pageHimelak  
1/4/05 36,184

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JUN 25 2004 9:44 AM FR AGILENT TECHNOLOGIES 53 3063 TO 917038729314 P.01

AGILENT TECHNOLOGIES, INC.  
Legal Department, 61433  
Inventorship Administration  
P.O. Box 7639  
Livermore, Colorado 80553-0639

PATENT APPLICATION  
ATTORNEY DOCKET NO. 10270813-3

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Hilary, et al.  
Serial No.: 06/553303  
Filing Date: 06/25/2000  
Title: Approximating Signal Power And Noise Power In A System

Examiner: Bryant, Emmanuel  
Group Art Unit: 2631

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT**

For:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Mail Stop Non-Fee Amendments")  
(X) Other: Exhibit A, B & C (5 pgs. total)

CLAIMS AS ABANDONED BY OTHER THAN A SMALL ENTITY (fee \$ )

| (1) FOR   | (2) CLAIMS REMAINING AFTER AMENDMENT | (3) NUMBER EXTRA   | (4) HIGHEST NUMBER PREVIOUSLY PAID FOR | (5) PRESENT EXTRA   | (6) RATE | (7) ADDITIONAL FEES |
|---|--------------------------------------|--------------------|--|---------------------|----------|---------------------|
| TOTAL CLAIMS  | 5                                    | MINUS              | 20                                     | -                   | \$ 18    | 0                   |
| RECAP. CLAIMS                                       | 7                                    | PLUS               | 3                                      | 0                   | \$ 96    | 0                   |
| ( ) Only presentation of a multiple dependent claim |                                      |                    |  |                     |          |                     |
| EXTENSION FEE                                       | 1ST MONTH \$110.00                   | 2ND MONTH \$220.00 | 3RD MONTH \$330.00                     | 4TH MONTH \$1480.00 |          | 0                   |
| OTHER FEES  |                                      |                    |  |                     |          | 0                   |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT             |                                      |                    |  |                     |          | 0                   |

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 CFR 1.18, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office as required by law.

Date of Facsimile: June 25, 2004  
Typed Name: Katherine Lopez-Oragon  
Signature: *Katherine Lopez-Oragon*

Respectfully submitted,  
Hilary, et al.  
By: *[Signature]*  
Date: June 25, 2004  
Attorney/Agent for Applicant(s)  
Reg. No. 50-305

PAGE 1/12 \* RCVD AT 6/25/2004 1:21:50 PM [Eastern Daylight Time] \* SVR:USPTO-EFAX-1/0 \* DNIS:8729314 \* CSID:408 553 3063 \* DURATION(mm-ss):05-38

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\*\* JOB STATUS REPORT \*\*

AS OF JUN 25 2004 9:49 AM PAGE.01

AGILENT TECHNOLOGIES

JOB #814

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 001 6/25 9:44A 917038729306 EC--S 04'44" 012 OK

AGILENT TECHNOLOGIES, INC.  
 Legal Department, DL429  
 Intellectual Property Administration  
 P. O. Box 7699  
 Loveland, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10970913-3

IN THE  
 UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Hillery, et al.

Serial No.: 09/558302

Examiner: Bayard, Emmanuel

Filing Date: 04/25/2000

Group Art Unit: 2631

Title: Approximating Signal Power And Noise Power In A System

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JAN 05 2005

COMMISSIONER FOR PATENTS  
 PO Box 1450  
 Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
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 (X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")  
 (X) Other: Exhibit A, B & C (5 pgs. total)

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY       |  |                        |  |                         |             |                           |
|--|--|------------------------|--|-------------------------|-------------|---------------------------|
| (1)<br>FOR   | (2)<br>CLAIMS REMAINING<br>AFTER AMENDMENT | (3)<br>NUMBER<br>EXTRA | (4)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (5)<br>PRESENT<br>EXTRA | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS                                      | 5  | MINUS                  | 20   | = 0                     | X \$18      | \$ 0                      |
| INDEP.<br>CLAIMS                                     | 1  | MINUS                  | 3  | = 0                     | X \$86      | \$ 0                      |
| ( ) FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |  |                        |  |                         | + \$290     | \$ 0                      |
| EXTENSION<br>FEE                                     | 1ST MONTH<br>\$110.00                      | 2ND MONTH<br>\$420.00  | 3RD MONTH<br>\$950.00                        | 4TH MONTH<br>\$1480.00  |             | \$ 0                      |
| OTHER FEES   |  |                        |  |                         |             | \$                        |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |  |                        |  |                         |             | \$ 0                      |

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.26. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: June 25, 2004

Typed Name: Katherine Lopez Diangson

Signature: 

Respectfully submitted,

Hillery, et al.

By: 

Judy Hsiao Shie

Attorney/Agent for Applicant(s)  
 Reg. No. 50,305

Date: June 25, 2004

Rev 10/03 (7/14/04) Ed

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AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

## PATENT APPLICATION

ATTORNEY DOCKET NO. 10970913-3

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Hillery, et al.

Serial No.: 09/558302

Examiner: Bayard, Emmanuel

Filing Date: 04/25/2000

Group Art Unit: 2631

Title: Approximating Signal Power And Noise Power In A System

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

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Sir:

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- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")  
(X) Other: Exhibit A, B & C (5 pgs. total) (fee \$ )

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY       |  |                        |  |                         |             |                           |
|--|--|------------------------|--|-------------------------|-------------|---------------------------|
| (1)<br>FOR   | (2)<br>CLAIMS REMAINING<br>AFTER AMENDMENT | (3)<br>NUMBER<br>EXTRA | (4)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (5)<br>PRESENT<br>EXTRA | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS                                      | 5  | MINUS                  | 20   | = 0                     | X \$18      | \$ 0                      |
| INDEP.<br>CLAIMS                                     | 1  | MINUS                  | 3  | = 0                     | X \$86      | \$ 0                      |
| [ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |  |                        |  |                         | + \$290     | \$ 0                      |
| EXTENSION<br>FEE                                     | 1ST MONTH<br>\$110.00                      | 2ND MONTH<br>\$420.00  | 3RD MONTH<br>\$950.00                        | 4TH MONTH<br>\$1480.00  |             | \$ 0                      |
| OTHER FEES   |  |                        |  |                         |             | \$                        |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |  |                        |  |                         |             | \$ 0                      |

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: June 25, 2004

Typed Name: Katherine Lopez Diangson

Signature: 

Respectfully submitted,

Hillery, et al.

By: 

Judy Elao Shie


Attorney/Agent for Applicant(s)  
Reg. No. 50,305

Date: June 25, 2004

Rev 10/03 (Transmittal)

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Attorney Docket #10970913

|  |  |
|--|--|
| <p>( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Alexandria, VA 22313.</p> <p>Date of Deposit:<br/>Typed Name:<br/>Signature:</p> | <p>(x) I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on the date shown below.</p> <p>Date of Facsimile: June 25, 2004<br/>Typed Name: Katherine Lopez Diangson<br/>Signature: </p> |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE JAN 05 2005

Inventor(s): Hillery, et al.

Examiner: E. Bayard

Serial No.: 09/558,302

Group Art Unit: 2631

Filing Date: 04/25/00

Title: Approximating Signal Power and Noise Power in a System

Amendment

Dear Sir:

In response to the Office Action dated 26 March 2004, having a three-month statutory period expiring 26 June 2004, Applicants respectfully request reconsideration of the application in view of the following Remarks.

Listing of Claims begin on page 2Remarks/Arguments begin on page 3.